

EXHIBIT 5

Ben Gastel

From: George Nolan <gnolan@LeaderBulso.com>
Sent: Tuesday, November 24, 2015 4:20 PM
To: 'chris@gideoncooper.com'
Cc: Chalos, Mark P. (mchalos@lchb.com) (mchalos@lchb.com); Gerard Stranch; Ben Gastel; Daniel L. Clayton (dclayton@kcbattys.com)
Subject: RE: Depo scheduling -- Dr. Standard and Dr. Lanford

Chris,

Where are we on getting dates for these depositions?

George

George Nolan
Leader, Bulso & Nolan, PLC
414 Union Street, Suite 1740
Nashville, Tennessee 37219
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From: George Nolan
Sent: Friday, November 20, 2015 8:43 AM
To: 'chris@gideoncooper.com'
Cc: 'Chalos, Mark P. (mchalos@lchb.com) (mchalos@lchb.com)'; 'Gerard Stranch'; 'Ben Gastel'; Daniel L. Clayton (dclayton@kcbattys.com)
Subject: RE: Depo scheduling

Hey Chris,

Any progress in gathering deposition dates for Dr. Standard and Dr. Lanford?

George

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From: George Nolan
Sent: Wednesday, November 18, 2015 5:27 PM
To: 'Daniel L. Clayton'; 'chris@gideoncooper.com'
Cc: 'matt@gideoncooper.com'; Shelli Meador; C. J. Gideon; Chalos, Mark P. (mchalos@lchb.com) (mchalos@lchb.com); Gerard Stranch; Ben Gastel; Bill Leader; Randy L. Kinnard; Chalos, Mark P.
Subject: RE: Depo scheduling

Chris,

I would like to get the depositions of Dr. Standard and Dr. Landford on our calendars. I will take the lead in coordinating dates among the plaintiffs' lawyers. Please provide us with several dates for each of those witnesses.

Thanks,
George

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From: Daniel L. Clayton [<mailto:dclayton@kcbattys.com>]
Sent: Thursday, November 05, 2015 1:59 PM
To: 'chris@gideoncooper.com'
Cc: 'matt@gideoncooper.com'; Shelli Meador; George Nolan; C. J. Gideon; Chalos, Mark P. (mchalos@lchb.com) (mchalos@lchb.com); Gerard Stranch; Ben Gastel; Bill Leader; Randy L. Kinnard
Subject: Depo scheduling

Chris,
See below.
Thanks.
Daniel

From: Chris J. Tardio [<mailto:chris@gideoncooper.com>]
Sent: Wednesday, November 04, 2015 9:20 PM
To: Shelli Meador <smeador@kcbattys.com>; Matt H. Cline <matt@gideoncooper.com>
Cc: Daniel L. Clayton <dclayton@kcbattys.com>; 'George Nolan' <gnolan@LeaderBulso.com>; C. J. Gideon <cj@gideoncooper.com>
Subject: RE: Depo scheduling

Daniel:

I have some questions to help with scheduling these case-specific physician depositions:

1. Is the PSC not going to be taking the case-specific medical proof for the bellwether Plaintiffs? Will it be conducted by the individual P's attorney? I anticipate that the PSC will designate a lawyer to be the point person for each depo for scheduling and logistics purposes.
2. Is the PSC not going to exercise any strikes prior to case-specific discovery? If the PSC will exercise at least some of its strikes (we have stricken two), we can eliminate taking discovery in cases that will not be part of the first trial cases. No. We've asked Judge Zobel to allow the parties to select 4 cases each for inclusion in the bellwether pool. We do not think the strike process makes sense anymore, particularly in light of the strikes D's have tried to make.
3. How much time do you need with each of the witnesses (total)? It will depend, but our best guess is 2-3 hours for basic background that would apply to all cases and 1-2 hours per individual case.
4. Are other P's attorneys going to want to take these same witnesses in any other bellwether cases? It makes sense to do each witness once. Have you guys coordinated that on your end yet? Yes, we will coordinate, but some witnesses might have to sit over several days (i.e. Culclasure)

I copied George with this email, as he sent a similar request. I have the same basic questions for him.

Thanks.

Chris J. Tardio, Esq.
Member // Gideon, Cooper & Essary, PLC
www.gideoncooper.com

From: Shelli Meador [mailto:smeador@kcbattys.com]
Sent: Wednesday, November 04, 2015 12:23 PM
To: Chris J. Tardio; Matt H. Cline
Cc: Daniel L. Clayton
Subject: Depo scheduling

Mr. Tardio and Mr. Cline,

Please find attached a letter re: scheduling depos for potential bellwether cases.

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